



UNITED STATES DISTRICT COURT

for the
District of New Mexico

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

1. Black, Toyota bearing NE License Plate 8-G7686
and VIN 5TDGZRAH4MS529418
2. DNA and latent Fingerprints from Walter Eddings

Case No. 22-MR-165

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, attached hereto and incorporated herein by reference.

located in the _____ District of NEW MEXICO, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, attached hereto and incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922(g)(1) and 924	Being a convicted felon in possession of a firearm and ammunition.

The application is based on these facts:

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Applicant's signature _____

Peter Andazola, FBI Task Force Officer

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Sworn telephonically, submitted by email _____ (specify reliable electronic means).

Date: Feb. 1, 2022 _____

City and state: Albuquerque, NM

Judge's signature _____

Steven C. Yarbrough, United States Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR SEARCH WARRANT

Introduction and Background

1. I, Peter Andazola, being first duly sworn, make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the body of Defendant, Walter Palmon EDDINGS (YOB 1983), to collect Deoxyribonucleic Acid (DNA) samples by way of buccal swabs, fingerprints, and palm prints; and to search a black, 2021 Toyota, Highlander, Sport Utility Vehicle, bearing Nebraska license plate 8-G7686 and Vehicle Identification Number (VIN) 5TDGZRAH4MS529418 (hereinafter the “Black Highlander”) – which is currently in law enforcement possession. More detailed descriptions of the vehicle are contained within Attachment A. I believe EDDINGS’ DNA and/or fingerprints may be present on the two firearms found on his person and at least one additional firearm located within the Black Highlander.
2. The Black Highlander is currently secured at the New Mexico State Police (NMSP) Office, located at 2501 Carlisle Blvd, Albuquerque, New Mexico, 87110. On January 31, 2022, the Black Highlander was seized by law enforcement in connection with a possible felon in possession investigation on EDDINGS. Based on evidence obtained during this investigation, I believe the Black Highlander will contain a firearm EDDINGS was observed handling when law enforcement performed surveillance on him.
3. This affidavit is submitted in support of a search warrant for evidence, fruits, and instrumentalities of violations of:
 - a. 18 U.S.C. §§ 922(g)(1) and 924, that being a convicted felon in possession of a firearm and ammunition.
4. The specific evidence being sought has been detailed within Attachment B, which has been

attached hereto and incorporated herein.

5. EDDINGS is currently in custody at the Metropolitan Detention Center and is under federal investigation for felon in possession of a firearm.
6. I have been a law enforcement officer for approximately 8 years, serving as a NMSP Officer, Agent, and as a Task Force Officer with the Federal Bureau of Investigation. I am currently assigned to the FBI Violent Crime Task Force (VCTF) where I primarily investigate violent repeat offenders, firearms violations, armed robberies, kidnappings, and FBI fugitives. Over the past eight years, I have arrested individuals for offenses related to drug distribution, firearm violations, carjacking, assault, and other related crimes.
7. Based on my training and experience, I am aware DNA and fingerprint evidence may be obtained from items of evidence, including firearms. I am also aware DNA and/or fingerprint evidence may assist law enforcement in determining whether someone possessed or handled a particular item of evidence. I am aware firearms may be stored or hidden in vehicles by individuals who are not legally allowed to possess such items.
8. Because this affidavit is submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only those facts that I believe are necessary to establish probable cause to support a search warrant to collect the Defendant's DNA and search the Black Highlander. The statements in this affidavit are based on my own investigation as well as information from other law enforcement officers, and my experience, training, and background.

FACTS AND CIRCUMSTANCES ESTABLISHING PROBABLE CAUSE

9. On January 31, 2022, your Affiant was assigned to an investigation in connection with a homicide suspect (not EDDINGS) in Albuquerque, New Mexico. Intelligence received

indicated the homicide suspect was currently staying at the Ambassador Inn, located at 1520 Candelaria Rd NE, Albuquerque, New Mexico 87107. NMSP Agents and officers were provided a briefing prior to the surveillance for the homicide suspect and received information that Walter Palmon EDDINGS, aka "Disney," had been observed at the Ambassador Inn previously. The information regarding EDDINGS was provided for officer safety and unrelated to the homicide suspect search. Your Affiant conducted a criminal history check on EDDINGS and noted he had been released from federal custody and was a felon. Having learned this information, I then observed a photograph of EDDINGS. During the briefing, officers were told EDDINGS may be armed and dangerous.

10. While parked in the lot of the Ambassador Inn, I observed a male subject wearing a San Francisco 49ers George Kittle Jersey "85." I positively identified this male subject as EDDINGS.
11. Throughout the day, I observed EDDINGS walk in and out of the Ambassador Inn, generally walking through the parking lot and up and down the stairs. Occasionally EDDINGS would peek out of the second-floor window of the Ambassador Inn.
12. At approximately 3:45 pm, I observed EDDINGS, and a second male subject later identified as E.H., exit the second floor of the Ambassador Inn. E.H. had in his possession an AK-47 style rifle. The AK-47 was wrapped in a black rifle cover and the barrel of the rifle was sticking out. Based on my training and experience, I identified the rifle as an AK-47 based on the appearance of the barrel. E.H. placed the AK-47 rifle in the back seat of a black in color Toyota SUV bearing Nebraska vehicle registration 8-G7686 (the Black Highlander). Later, I observed EDDINGS open the right rear passenger door of the Black Highlander and reposition the rifle.

13. A short time later, E.H. entered the driver seat, EDDINGS entered the front passenger seat, and a female subject identified as J.D. entered the right rear passenger of the Black Highlander. Due to EDDINGS known criminal history, this information was relayed to assisting agents and officers.
14. Law enforcement observed the Black Highlander exit the Ambassador Inn and proceed east onto Candelaria Road. NMSP Officers and Agents began to covertly follow the Black Highlander throughout the Albuquerque area.
15. Agents and Officers followed the vehicle to the 7- Eleven gas station at 4510 Lomas Blvd NE, Albuquerque, New Mexico, 87110. E.H., EDDINGS, and J.D. exited the Black Highlander and entered the 7-Eleven gas station. Agents and officers contacted EDDINGS, E.H., and J.D. inside the 7-Eleven gas station and took them into custody without incident. As agents and officers were taking EDDINGS into custody, officers observed him to have in his possession a black and red backpack. During a search of his person, officers located approximately 8.4 grams of a white crystal substance. Through my training and experience, the white crystal substance appeared to be consistent with methamphetamine. Officers also located seventeen (17) small, round blue pills, stamped with letter M on one side and the number 30 on the other. Through training and experience these pills appeared to be consistent with counterfeit oxycodone which typically contains Fentanyl.
16. I arrived on scene shortly after the individuals were taken into custody and searched the black and red backpack incident to arrest. The black and red backpack contained two handguns identified as (1) a Glock 43, 9mm handgun with assigned serial number BDXND4 and (2) a Sig Sauer P320, 9mm handgun with assigned serial number 58C349864. An NCIC inquiry on both firearms revealed both firearms were reported stolen to the Albuquerque

Police Department.

POST-ARREST STATEMENT

17. I advised EDDINGS of his constitutional rights pursuant to *Miranda vs. Arizona*. EDDINGS waived his rights and participated in the interview. During the interview, EDDINGS admitted to recently being released from federal custody. EDDINGS admitted to having been convicted federally for felon in possession of a firearm. He stated he served approximately 100 months in a federal detention facility. He denied knowledge of the AK-47 in the back seat of the SUV. EDDINGS admitted to ownership of the black and red backpack but he denied knowing the contents of the backpack. EDDINGS identified the items located on his person as methamphetamine and fentanyl. EDDINGS admitted to being a user of methamphetamine and fentanyl. I explained to EDDINGS the process of touch DNA and inquired if his DNA would be found on the AK-47 or the two firearms located inside the backpack. EDDINGS stated I may be able to obtain DNA from the rifle because his hand may have grazed the rifle while cleaning out the backseat of the Black Highlander. He stated his DNA would not be found on the firearms found inside his backpack.

CRIMINAL HISTORY

18. EDDINGS' criminal history includes felony convictions for:
- a. Armed Robbery (CT 1) Kidnapping (Victim Freed in a safe place and no great bodily harm inflicted (CT 4) (2002);
 - b. Unlawfully Stealing, Taking and Carrying away Firearms from a Federal Firearms Licensee (2016); and
 - c. Breaking and Entering (CT 1) and Larceny (Over \$500) (CT 5) 2019.

DNA Collection and Testing

19. The firearms, a Glock 43, 9mm handgun, serial number BDXND4 and a Sig Sauer P320, 9mm handgun, serial number 58C349864 were collected by me. A forensic examination of the firearms will be conducted to identify any DNA and/or fingerprints on the items. I am aware laboratories often require the submission of a suspect's DNA and/or fingerprints for comparison with any DNA and/or fingerprints located on items of evidence.
20. I intend to send the firearms to the New Mexico Department of Public Safety Forensic Laboratory for latent fingerprint and DNA testing. I will request the laboratory compare any potential DNA found on the firearms or ammunition to the DNA of the Defendant. I also intend to compare any fingerprints found on the gun to the prints of EDDINGS.

Interstate Nexus

21. Through my training and experience, I know Sig Sauer handguns to be manufactured in New Hampshire, with some of the firearm manufactured in Germany and Glock handguns are manufactured in Austria, which are both outside the state of New Mexico.

SUBJECT VEHICLE

22. The SUBJECT VEHICLE may be described as 2021 Black Toyota Highlander bearing Nebraska license plate 8-G7686 and Vehicle Identification Number (VIN) 5TDGZRAH4MS529418.

CONCLUSION

23. Based on the details contained herein, I believe that there is probable cause to believe that EDDINGS violated 18 U.S.C. §§ 922(g)(1) and 924 – Felon in Possession of a Firearm and Ammunition. As such, I request this warrant to collect DNA samples, finger and palm prints from EDDINGS to be utilized in the examination of the evidence collected in this matter.
24. I believe probable cause exists to search the Black Highlander described in Attachment A, for

the items described in Attachment B, which are evidence, fruits, and instrumentalities of, or property designated for use, intended for use, or used in committing the crimes, that is: violations of 18 U.S.C. §§ 922(g)(1) and 924 – Felon in Possession of a Firearm and Ammunition.

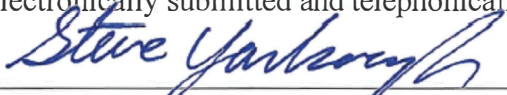
25. This affidavit was reviewed by Supervisory Assistant U.S. Attorney Jack Burkhead.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Peter Andazola", written over a horizontal line.

Peter Andazola
FBI Task Force Officer

Electronically submitted and telephonically sworn to me on February ____¹____, 2022.

A handwritten signature in blue ink, appearing to read "Steve Harbrough", written over a horizontal line.

HONORABLE STEVEN C. HARBROUGH
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF NEW MEXICO

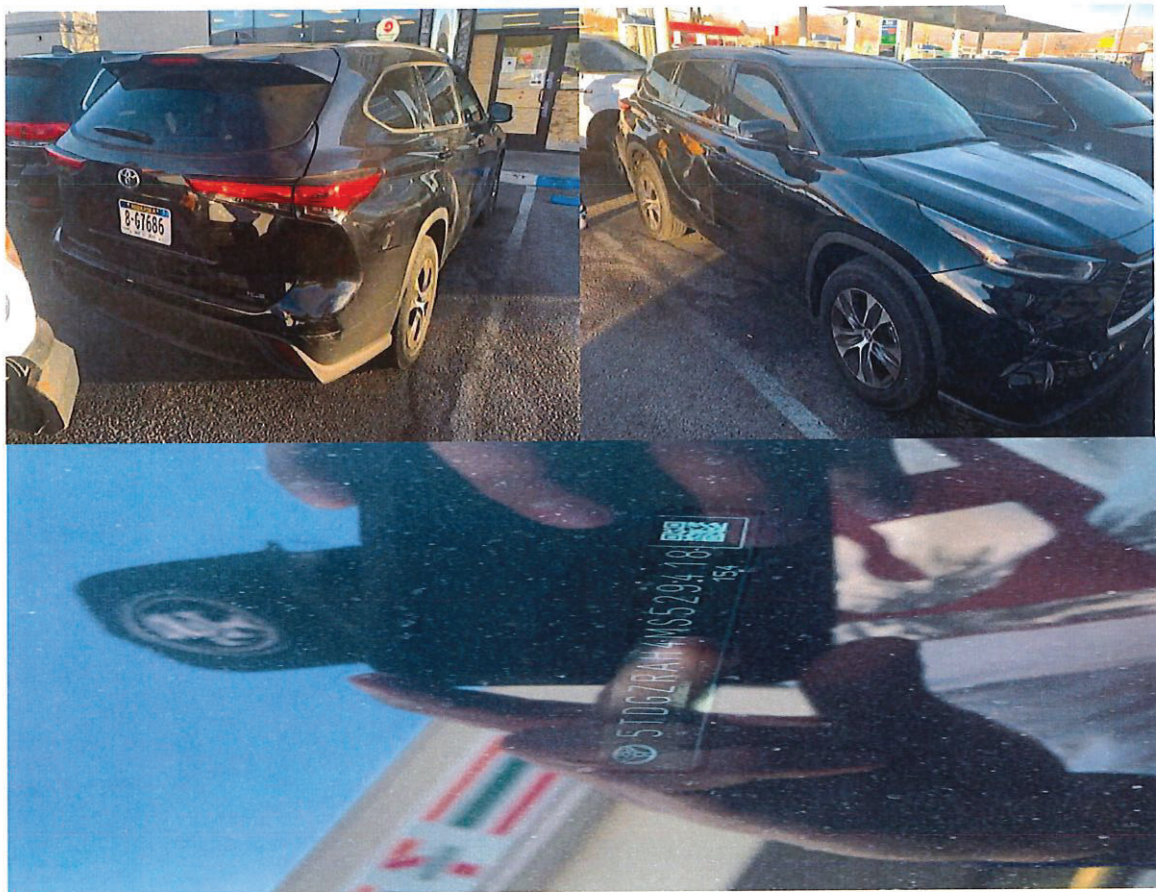
ATTACHMENT A

Property to be searched

1. **Subject Vehicle** is located at **New Mexico State Police Office** located at **2501 Carlisle Boulevard NE, Albuquerque, NM, 87110**, which is further described as a 2021 Black, Toyota, Highlander bearing Nebraska License Plate 8-G7686 and Vehicle Identification Number (VIN) 5TDGZRAH4MS529418.

The vehicle's VIN (5TDGZRAH4MS529418) can be read through the rear right corner of the windshield of the vehicle.

Photograph of the vehicle is attached hereto and incorporated herein:



2. Person to be searched:



NAME: EDDINGS, WALTER PALMON JR
ADR: 2331 MENAUL BLVD NE, ALBUQUERQUE, NM 87107-1825
OLN: 516357762 SEX: MALE YOB: 1983
HGT: 509 WGT: 150 EYE: BRO
SOC: 0627

ATTACHMENT B

Property to be seized

All records, information, and evidence relating to violations of 18 U.S.C. §§ 922(g)(1) and 924, that being a convicted felon in possession of a firearm and ammunition involving EDDINGS, including:

1. Any and all firearms, ammunition, or containers designed to store firearms or ammunition.
2. The body of Defendant, Walter Palmon EDDINGS (YOB 1983), to collect Deoxyribonucleic Acid (DNA) samples by way of buccal swabs, fingerprints, and palm prints